

FILED
U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS
2023 OCT -5 PM 12:46

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

Kang Lu, et al.

Plaintiffs,

v.

EXECUTIVE OFFICE OF PUBLIC SAFETY
AND SECURITY (EOPSS), and TERRENCE
REIDY, in his official capacity as Secretary of
EOPSS,

OFFICE OF THE ATTORNEY GENERAL,
and ANDREA JOY CAMPBELL, in her
official capacity as Attorney General of
Massachusetts,

Defendants.

Civil Action No. 1:23-cv-12045-AK

ACTION

FOR

DECLARATORY JUDGMENT

NOTICE OF APPEARANCE

1. I, James J. O'Brien III, one of the people¹ of the several states which are united by and under the Constitution², appear in my proper person in order to join as plaintiff in the above captioned matter, in accordance with Federal Civil Procedure **Rule 20**.

¹ *District of Columbia v. Heller*, 554 U. S. 570, 580 (2008): The term [people] unambiguously refers to all members of the political community, not an unspecified subset. As we said in *United States v. Verdugo-Urquidez*, 494 U. S. 259, 265 (1990): "...the people' protected by the Fourth Amendment, and by the First and Second Amendments, and to whom rights and powers are reserved in the Ninth and Tenth Amendments, refers to a class of persons who are part of a national community or who have otherwise developed sufficient connection with this country to be considered part of that community."

² *Hooven & Allison Co. v. Evatt*, 324 U.S. 652, 672 (1945)

2. I assert a right to relief jointly with respect to a similar cause of action arising under the Constitution, where identical questions of law common to my own circumstances will arise in the declaratory relief sought. Specifically, it is my wish to claim and exercise my individual right to keep and bear arms for personal use³, and for the common defence⁴ as plainly secured by the laws of Massachusetts and the Constitution, and to be informed of the purpose and scope of the State's statutory scheme governing licensing of firearms⁵, so that I may find security in the laws⁶.

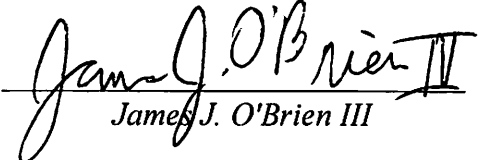
Dated: October 3rd, 2023.

Respectfully executed,

James J. O'Brien III, *in propria persona*
1 Hardy Road Suite 355
Bedford New Hampshire, 03110
scholartaoist@protonmail.com
Phone: 781-718-3151

Certificate of Service

I hereby certify that this Notice of Appearance was sent by First Class U.S. Mail to the Court on the above date, and to the defendants' counsel by email to Assistant Attorney General Angélica L. Durón at angelica.duron@state.ma.us.


James J. O'Brien III

³ Mass. General Laws Chapter 62C section 55A: arms for personal use.

⁴ Mass. General Laws Chapter 60 section 24: military arms, uniforms and equipment.

⁵ Mirko Chardin v. Police Commissioner of Boston & another, 465 Mass. 314, 315, (2013).

⁶ Massachusetts Constitution: "...that every man may, at all times, find his security in [the laws.]"